


25 JUN 1981

MEMORANDUM FOR: Chief, Logistics & Procurement Law Division/OGC

STAT FROM:

  
Chief, Procurement Management Staff/OL

SUBJECT: Request for Legal Opinion regarding Section 8  
of CIA Act of 1949 and Noncompetitive Contracts  
with Small Disadvantaged Business Concerns

REFERENCE: Memo for the Record, dtd 22 June 81,  
subject: Socioeconomic Programs

John:

1. As you are probably aware, we have been in the process of reviewing alternative methods of increasing the number of contracts this Agency has with small disadvantaged business concerns. In a meeting on 22 June 1981, as discussed in referent, the Director of Logistics approved a recommendation that the Office of General Counsel be requested to provide a formal opinion on whether or not the special authorities mentioned under Section 8 of the CIA Act of 1949 can be cited as authority to enter into noncompetitive contracts with small disadvantaged business concerns. Currently, only the Small Business Administration has such authority, which stems from Section 8(a) of the Small Business Investment Act of 1958.

2. Based upon the above, we would appreciate your reviewing the issue, and providing us with a formal response.

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cc: DD/L

22 JUN 1981

MEMORANDUM FOR THE RECORD

SUBJECT: Socioeconomic Programs

1. Subject program was discussed this date with the Director of Logistics. Attendees included [redacted]

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2. The D/L concurred in the following recommendations:

a. Defer further action on expanding an "in-house" program within Procurement Division for at least one year. It was felt that placing an additional workload on Procurement Division at this time was inappropriate.

b. Obtain from OGC a formal opinion on whether or not the DCI's special authorities could be cited in placing sole source contracts with minority contractors.

c. Continue with our present program in promoting small and minority business enterprise with Agency procurement activities through:

(1) Distribution of literature on small/minority business capabilities;

(2) Utilization of subcontracting clauses;

(3) Dissemination of minority source information.

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